IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

WA.No. 1375 of 2007()

AGAINST THE JUDGEMENT IN WPC.3050/2003 Dated 07/02/2007
.....

APPELLANT: PETITIONER

P.K.KUNJAPPAN, PAZHOOR HOUSE,
KATHIKUDAM P.O., TRICHUR DISTRICT.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI
SRI.BRIJESH MOHAN
SRI.T.R.SADEESAN
SMT.DHANYA CHANDRAN

RESPONDENTS: RESPONDENTS
---

1. STATE OF KERALA, REP. BY PRINCIPAL SECRETARY TO GOVERNMENT, HOME DEPARTMENT, GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR GENERAL OF POLICE, POLICE HEADQUARTERS, THIRUVANANTHAPURAM.

3. THE SUPERINTENDENT OF POLICE, TRICHUR.

4. THE DEPUTY SUPERINTENDENT OF POLICE, IRINJALAKUDA.

5. THE SUB INSPECTOR OF POLICE, KORATTY POLICE STATION, KORATTY.

6. CENTRAL BUREAU OF INVESTIGATION, REP. BY ITS SUPERINTENDENT, ERNAKULAM.

R1 TO 5 BY SR. G.P. SMT. MEERA
R6 BY SC SRI S. SREEKUMAR

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 18/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

W.A. No. 1375 of 2007

Dated, this the 18th day of June, 2007

JUDGMENT

H.L. DATTU, CJ.

We share the agony of the father of the deceased person, but, at the same time, we feel helpless to come to his aid. It is the grievance of the appellant that his son must have been murdered by a third person and the investigation so far done by the respondents is not either fair or proper. According to the appellant, the theory put forward by the respondents that his son had committed suicide and not killed by a third person should not be accepted.

2. The learned Single Judge has traced the history of the case and also the incident that had taken place on the Christmas eve. He has also noticed that investigations had been done first by the Station House Officer and thereafter by the Deputy Superintendent of Police and again by the Superintendent of Police himself. Keeping in view that three enquiries had been done and those enquiries only revealed that the appellant's son had committed suicide and was not killed by any other person, the learned Judge thought it fit to reject the prayer sought for by the petitioner for investigation to be done by the Central Bureau of Investigation.

3. Having gone through the detailed order passed by the learned

Single Judge and having appreciated the contentions canvassed by the learned counsel for the appellant at the time of hearing of this appeal, we are of the opinion that the learned Judge has not committed any error calling for our interference. In this view of the matter, the appeal requires to be rejected and it is rejected. Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

mt/